

Amendments to House Bill 29, as Introduced

Item 0 #1h

Revenues

Revenues

Language

Language:

Page 1, strike lines 38 through 51 and insert:

"

	First Year	Second Year	Total
Unreserved Balance, June 30, 2008	1,114,413,217	0	1,114,413,217
Additions to Balance	(521,037,013)	(92,829,853)	(613,866,866)
Official Revenue Estimates	14,613,939,287	14,040,251,002	28,654,190,289
Revenue Stabilization Fund	490,000,000	293,328,331	783,328,331
Transfers	406,889,844	553,577,377	960,467,221
Total General Fund Resources Available for Appropriation	16,104,205,335	14,794,326,857	30,898,532,192

"

Page 2, strike lines 1 through 7.

Page 2, strike lines 9 through 29 and insert:

"

	First Year	Second Year	Total
Balance June 30, 2008	5,285,343,724	-	5,285,343,724
Official Revenue Estimates	20,534,761,089	23,344,944,264	43,879,705,353
Lottery Proceeds Fund	430,500,000	440,085,400	870,585,400
Bond Proceeds	1,438,201,373	690,671,000	2,128,872,373
Total Nongeneral Fund Revenues Available for Appropriations	27,688,806,186	24,475,700,664	52,164,506,850
TOTAL PROJECTED REVENUES	43,793,011,521	39,270,027,521	83,063,039,042

"

Explanation:

(This amendment reflects the general and nongeneral fund revenue adjustments included in the amendments to House Bill 29.)

Item 41 #1h

Judicial Department

General District Courts

Language

Language:

Page 7, after line 5 insert:

"G.1 Notwithstanding the provisions of §§ 16.1-69.6:1 or 17.1-507, Code of

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Virginia, the total number of authorized judges in any judicial district or circuit shall be reduced by a number equal to the number of judges retiring, dying or resigning from that district or circuit for any authorized judgeship which is vacant or becomes vacant on or after February 15, 2010, and before July 1, 2010, effective upon the resignation, death or retirement date of each such judge.

2. On or before June 30, 2010, the Director, Department of Planning and Budget, shall authorize the reversion to the general fund of \$953,607 from items within the Judicial Department representing savings generated from the reduction in the number of authorized judges."

Explanation:

(This amendment realizes savings of \$953,607 from deferring the replacement of vacant judgeships.)

Item 69 #1h

Administration

Compensation Board

Language

Language:

Page 16, strike lines 5 through 7.

Page 16, line 8, strike "T." and insert "S."

Explanation:

(This amendment strikes language included in the introduced budget related to sheriff offices referencing the proposal to remove funding for one day of salary.)

Item 71 #1h

Administration

Compensation Board

Language

Language:

Page 20, strike lines 29 through 31.

Explanation:

(This amendment strikes language included in the introduced budget related to offices of the Directors of Finance referencing the proposal to remove funding for one day of salary.)

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Item 72 #1h

Administration

Compensation Board

Language

Language:

Page 22, strike lines 1 through 3.

Explanation:

(This amendment strikes language included in the introduced budget related to offices of the Commissioners of Revenue referencing the proposal to remove funding for one day of salary.)

Item 73 #1h

Administration

Compensation Board

Language

Language:

Page 23, strike lines 32 through 34.

Explanation:

(This amendment strikes language included in the introduced budget related to offices of the Commonwealth's Attorney referencing the proposal to remove funding for one day of salary.)

Item 74 #1h

Administration

Compensation Board

Language

Language:

Page 26, strike lines 11 through 13.

Explanation:

(This amendment strikes language included in the introduced budget related to offices of the Clerks of Circuit Court referencing the proposal to remove funding for one day of salary.)

Item 75 #1h

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Administration

Compensation Board

Language

Language:

Page 27, strike lines 29 through 31.

Explanation:

(This amendment strikes language included in the introduced budget related to offices of the local Treasurers referencing the proposal to remove funding for one day of salary.)

Item 140 #1h

**Education: Elementary &
Secondary**

FY 08-09

FY 09-10

Direct Aid To Public Education

\$0

\$2,530,663 GF

Language:

Page 61, line 8, strike "\$5,400,695,193" and insert "\$5,403,225,856".

Page 61, line 52, strike "\$2,889,328,769" and insert "\$2,891,859,432".

Page 62, line 20, strike "\$4,891,363,217" and insert "\$4,893,893,880".

Page 62, line 24, strike "\$5,110,348,970" and insert "\$5,112,879,633".

Page 63, line 11, strike "\$9,416,709" and insert "\$9,424,529".

Page 63, line 13, strike "\$60,125,512" and insert "\$60,166,020".

Page 63, line 28, strike "\$72,407,810" and insert "\$72,351,546".

Page 63, line 30, strike "\$7,049,547" and insert "\$7,057,142".

Page 63, line 39, strike "\$539,107" and insert "\$539,448".

Page 75, line 27, strike "\$60,125,512" and insert "\$60,166,020".

Page 76, line 4, strike "\$7,049,547" and insert "\$7,057,142".

Page 86, line 1, strike "\$72,407,810" and insert "\$72,351,546".

Explanation:

(This amendment is a technical change to correct the VRS holiday savings assumptions used in House Bill/Senate Bill 29. Nonprofessional employees are not included in the holiday savings. This amendment restores the amount assumed in the savings.)

Item 147 #1h

Amendments to House Bill 29, as Introduced

Education: Higher Education

State Council Of Higher Education
For Virginia

Language

Language:

Page 92, line 38, after "Virginia." insert:

"Notwithstanding application deadlines contained in the Virginia Administrative Code for the Tuition Assistance Grant program, provided that the institution has received accreditation by the Liaison Committee on Medical Education, the Virginia Tech - Carilion School of Medicine shall be deemed eligible to participate in the Tuition Assistance Grant program beginning with the 2010-2011 academic year."

Explanation:

(This amendment allows students from the Carilion School of Medicine entering in the Fall of 2010 to participate in the Tuition Assistance Grant program.)

Item 147 #2h

Education: Higher Education

State Council Of Higher Education
For Virginia

Language

Language:

Page 91, line 42, strike "50,831,933" and insert "\$58,831,933".

Explanation:

(This amendment corrects the embedded language to accurately reflect the appropriation.)

Item 265 #1h

Finance

Department Of Accounts Transfer
Payments

Language

Language:

Page 125, line 40, after "earnings" insert:

"through May 30, 2010, and projected interest accumulations through June 30, 2010".

Explanation:

Amendments to House Bill 29, as Introduced

(This is a technical amendment from the Department of Planning and Budget to add language to authorize the calculation for the withdrawal from the Revenue Stabilization Fund to include projected interest accumulated on the fund through June 30, 2010.)

Item 267 #1h

Finance

Department Of Accounts Transfer
Payments

Language

Language:

Page 126, strike lines 35 through 42 and insert:

" D. Notwithstanding the provisions of Chapter 5, of Title 51.1, Code of Virginia, in the second year of the biennium, the Virginia Retirement System is authorized to transfer \$500,000 from the group insurance program to the general fund of the state treasury, as reimbursement for death claims paid pursuant to § 9.1-402 of the Line of Duty Act from July 1, 2009, through June 30, 2010."

Explanation:

(This amendment corrects language included in the introduced budget for a savings strategy to use VRS life insurance funds to support the death benefit claims provided under the Line of Duty Act.)

Item 270.10 #1h

Finance

Department Of Taxation

Language

Language:

Page 130, after line 9, insert:

"A.1. In order to carry out the provisions of § 58.1 - 645 et seq., Code of Virginia, there is hereby appropriated a sum sufficient amount of nongeneral fund revenues estimated at \$460,000,000 in the second year equal to the revenues collected pursuant to § 58.1 - 645 et seq., Code of Virginia, from the Virginia Communications Sales and Use Tax. For the purposes of the Comptroller's preliminary and final annual reports required by § 2.2-813, Code of Virginia, however, all deposits to and disbursements from the Fund shall be accounted for as part of the general fund of the state treasury.

Amendments to House Bill 29, as Introduced

2. All revenue received by the Commonwealth pursuant to the provisions of § 58.1 - 645 et seq., Code of Virginia, shall be paid into the state treasury and deposited to the Virginia Communications Sales and Use Tax Fund and distributions from the Fund shall be made pursuant to § 58.1-662, Code of Virginia."

Explanation:

(This amendment provides for the appropriation of the Virginia Communications Sales and Use Tax. Since adopted in 2006, these funds have been distributed directly to localities without being appropriated by the General Assembly. Because the sales and use tax was created as a state tax, under the Constitution these amounts must be appropriated. The language provides for a sum sufficient distribution of the funds among the localities using the existing Code-stipulated methodology.)

Item 290 #1h

Health And Human Resources

Department Of Health

Language

Language:

Page 147, line 39, after "geographic" insert "or designated".

Explanation:

(This amendment clarifies existing language in the introduced budget which restricts the Board of Health from redistricting the regional emergency medical services councils to serve different geographical areas than are currently served by the councils, from making redistricting a condition of designation as a council or renewal of such designation, or as a condition of receiving state funding.)

Item 339 #1h

Health And Human Resources

Department Of Social Services

FY 08-09

FY 09-10

\$0

(\$5,000,000) GF

\$0

\$5,000,000 NGF

Language:

Page 189, line 42, strike "Not set out."

Explanation:

(This technical amendment submitted by the Department of Planning and Budget sets out the item, which was not previously set out in House Bill 29 in order to supplant general fund dollars with recently appropriated federal Supplemental

Amendments to House Bill 29, as Introduced

Nutrition Assistance Program (SNAP, formerly Food Stamp) funding. The Department of Social Services has certain local expenditures that are supported with general and nongeneral funds for which the newly released federal food stamp dollars can be used. It is estimated that the general fund portion of the existing funds can be captured as savings with no direct impact on services.)

Item 433 #1h

Technology

Virginia Information Technologies
Agency

Language

Language:

Page 237, delete lines 51 and 52.

Explanation:

(This amendment corrects an error of duplication involving service areas. During the 2009 session, two service areas were moved out of the planning and quality control program, Item 433, into the administrative and support program, Item 434. Erroneously, these services areas resurfaced in Item 433.)

Item 441 #1h

Transportation

Department Of Motor Vehicles

FY 08-09

\$0

FY 09-10

(\$5,200,000) NGF

Language:

Page 241, line 35, strike "\$155,108,973" and insert "\$149,908,973".

Explanation:

(This amendment reduces the appropriation for DMV to reflect one-time savings captured due to a delay in the deadline for initial compliance with the federal Real ID Act of 2005.)

Item 472 #1h

Central Appropriations

Central Appropriations

FY 08-09

\$0

FY 09-10

\$10,626,981 GF

Amendments to House Bill 29, as Introduced

Language:

Page 257, line 26, strike "\$1,518,151" and insert "\$9,108,830".

Page 260, strike lines 6 through 34.

Page 260, line 35, strike "Q." and insert "O".

Explanation:

(This amendment deletes language included in the introduced budget which proposes a one day furlough for state employees in May of 2010 and authorizes the withholding of one day's worth of salary for state supported local employees. The amendment restores the general fund appropriation for the one day and deletes language which assumed a transfer of \$7.6 million nongeneral fund to the general fund as a result of the proposed furlough.)

Item 472 #2h

Central Appropriations

FY 08-09

FY 09-10

Central Appropriations

\$0

\$2,469,914 GF

Language:

Page 257, line 26, strike "\$1,518,151" and insert "\$951,763".

Page 260, strike lines 35 through 46.

Explanation:

(This amendment restores funding for the 4th quarter of fiscal year 2010 for the state match for the state employee deferred compensation program which was eliminated in the introduced budget. In addition to restoring \$2.5 million in general funds for the cash match program, this amendment deletes language which authorized \$1.5 million in nongeneral fund transfers to the general fund.)

Item 472.10 #1h

Central Appropriations

Central Appropriations

Language

Language:

Page 262, strike lines 27 through 54, and insert:

"F. The purpose of this paragraph is to provide a transitional retirement benefit, under the conditions specified, to eligible city, county, school division or other political subdivision employees who are involuntarily separated from employment with their employer.

Amendments to House Bill 29, as Introduced

1.a. "Involuntary separation" includes, but is not limited to, terminations and layoffs from employment with the employer, or being placed on leave without pay-layoff or equivalent status, due to budget reductions, employer reorganizations, workforce downsizings, or other causes not related to the job performance or misconduct of the employee, but shall not include voluntary resignations. As used in this paragraph, a "terminated employee" shall mean an employee who is involuntarily separated from employment with his employer.

b. The governing authority of a city, county, school division or other political subdivision electing to cover its employees under the provisions of this paragraph shall adopt a resolution, as prescribed by the Board of Trustees of the Virginia Retirement System, to that effect. An election by a school division shall be evidenced by a resolution approved by the Board of such school division and its local governing authority.

2.a. For purposes of this paragraph "eligible employee" shall mean any (i) "eligible employee" as defined in § 51.1-132, Code of Virginia, (ii) "teacher" as defined in § 51.1-124.3, Code of Virginia, and (iii) any "local officer" as defined in § 51.1.124.3, Code of Virginia, except for the treasurer, commissioner of the revenue, attorney for the Commonwealth, clerk of a circuit court, or sheriff of any county or city, and (a) for whom reemployment with his employer is not possible because there is no available position for which the employee is qualified or the position offered to the employee requires relocation or a reduction in salary and (b) whose involuntary separation was due to causes other than job performance or misconduct, (c) who is a vested member of the Virginia Retirement System, including a member eligible for the benefits described in subsection B of § 51.1-138, Code of Virginia, and at least 50 years of age, and (d) whose actual age and creditable service when combined with the added benefits provided by subparagraph 4 below qualify such member for retirement benefits under Chapter 1 of § 51.1, Code of Virginia, shall be eligible, under the conditions specified, for the transitional retirement benefit conferred by this paragraph. The date of involuntary separation shall mean the date an employee was terminated from employment or placed on leave without pay-layoff or equivalent status.

b. Eligibility shall commence on the date of involuntary separation.

3.a. On his date of involuntary separation, an eligible employee with (i) two years' service or less to the employer shall be entitled to receive a transitional retirement

Amendments to House Bill 29, as Introduced

benefit equivalent to four weeks of salary; (ii) three years through and including nine years of consecutive service to the employer shall be entitled to receive a transitional retirement benefit equivalent to four weeks of salary plus one additional week of salary for every year of service over two years; (iii) 10 years through and including 14 years of consecutive service to the employer shall be entitled to receive a transitional retirement benefit equivalent to 12 weeks of salary plus two additional weeks of salary for every year of service over nine years; or (iv) 15 years or more of consecutive service to the employer shall be entitled to receive a transitional retirement benefit equivalent to two weeks of salary for every year of service, not to exceed 36 weeks of salary.

b. Transitional retirement benefits shall be computed by the terminating employer's payroll department. Partial years of service shall be rounded up to the next highest year of service.

c. The amount of the transitional retirement benefit shall be increased by the equivalent cost of 12 months' coverage under the (i) health insurance plan administered by the employer for its employees, if he participated in such plan prior to his date of involuntary separation, and (ii) group life insurance plan administered by the Virginia Retirement System pursuant to Chapter 5 (§ 51.1-500 et seq.), Title 51.1, Code of Virginia, or such other group life insurance plan as may be administered by the employer.

4.a. The employer shall purchase on each eligible employee's behalf years to be credited to either his age or creditable service or a combination of age and creditable service, except that any years of credit purchased on behalf of a member of the Virginia Retirement System, including a member eligible for the benefits described in subsection B of § 51.1-138, Code of Virginia, who is eligible for unreduced retirement shall be added to his creditable service and not his age. The cost of each year of age or creditable service purchased by the employer shall be equal to 15 percent of the employee's present annual compensation. The number of years of age or creditable service to be purchased by the employer shall be equal to the quotient obtained by dividing (i) the present value of the transitional retirement benefit as determined under subparagraphs 3.a. and 3.c. by (ii) the cost of each year of age or creditable service. Partial years shall be rounded up to the next highest year. Deferred retirement under the provisions of subsections C of §§ 51.1-153 and 51.1-205, Code of Virginia, and disability retirement under the provisions of § 51.1-156 et seq., Code of Virginia, shall not be available under this paragraph.

Amendments to House Bill 29, as Introduced

b. In lieu of the transitional retirement benefit provided in this subsection, any employee who is otherwise eligible may take immediate retirement pursuant to §§ 51.1-155.1 or 51.1-155.2, Code of Virginia.

c. The retirement allowance for any employee electing to retire under this paragraph who, by adding years to his age, is between ages 55 and 65, shall be reduced on the actuarial basis provided in subdivision A. 2. of § 51.1-155, Code of Virginia.

d. The retirement program provided in this subparagraph shall be otherwise governed by policies and procedures developed by the Virginia Retirement System.

e. Costs associated with the provisions of this subparagraph shall be factored into the employer contribution rates paid to the Virginia Retirement System beginning with the June 30, 2011 actuarial evaluation."

Page 263, strike line 1 through 56.

Page 264, strike line 1 through 6.

Explanation:

(This amendment replaces language included in the introduced budget authorizing the provision of WTA benefits to employees of local school divisions and local governments who are subject to layoffs with language giving school boards and localities the option of offering transitional retirement benefit.)

Item 473 #1h

Central Appropriations

FY 08-09

FY 09-10

Central Appropriations

\$0

(\$2,000,000) GF

Language:

Page 265, line 11, strike "\$52,757,950" and insert "\$50,757,950".

Page 267, line 56, strike "and \$2,000,000 the second year".

Explanation:

(This amendment removes a proposal to provide SRI a payment of \$2.0 million in fiscal year 2010 that was included in House Bill 29 as introduced although rejected by the General Assembly in 2009 Session. This amount is provided to them in fiscal year 2011 to more closely mirror the time frames set out in the authorizing legislation adopted by the General Assembly in 2006.)

Item 475.10 #1h

Amendments to House Bill 29, as Introduced

Central Appropriations	FY 08-09	FY 09-10	
Central Appropriations	\$0	(\$1,500,000)	GF

Language:

Page 268, line 52, strike "\$20,784,363" and insert "\$22,284,363".

Page 270, after line 5, insert:

"G. The Director, Department of Planning and Budget, shall withhold and transfer to this item \$1,500,000 the second year from the general fund from Item 475, program 11500, representing savings of unused general funds."

Explanation:

(This amendment removes \$1,500,000 general fund from the transfer grant program. Based on estimates of the Virginia Community College System, less than \$250,000 will be awarded in fiscal year 2010 for this program, which has an appropriation of \$1,800,000. This amendment would remove the estimated unused funding.)

Item C-0 #1h

General Conditions

General Conditions

Language

Language:

Page 288, after line 6, insert:

"V. On or before June 30, 2010, the State Comptroller shall revert the following amounts from the agency, fund code, and project code listed.

Agency Name/Project Title	Fund	Project Code	Amount
Department of Corrections (799)	0965	17728	\$344,000
Department of Corrections (799)	0965	17729	\$,1700,000
Department of Juvenile Justice (777)	0965	17727	\$473,088
Central Capital (94	0965	17777	\$126,912".

Explanation:

(This amendment reverts unused planning dollars for capital projects.)

Item C-5.30 #1h

Administration

FY 08-09

FY 09-10

Amendments to House Bill 29, as Introduced

Department Of General Services \$0 \$913,000 GF

Language:

Page 288, after line 22, insert:

"C-5.30. New Construction: Educational \$0 \$913,000

Wing of Virginia War Memorial (17177)

Fund Sources: General \$0". \$913,000".

Explanation:

(This amendment transfers funding from House Bill 30 to House Bill 29 for the educational wing at the Virginia War Memorial to coincide with expected expenditure requirements.)

Item C-14.70 #1h

Education: Higher Education

Christopher Newport University

Language

Language:

Page 289, line 23, after "detailed planning" insert:

"through working drawings".

Explanation:

(This amendment clarifies that the project planning may proceed to working drawings stage.)

Item C-36.90 #1h

Education: Higher Education

FY 08-09

FY 09-10

George Mason University

\$0

\$2,526,000 NGF

Language:

Page 290, after line 15, insert:

"§ 2-6 GEORGE MASON UNIVERSITY (247)".

Page 291, after line 6, insert:

"C-36.90. Improvements: Repair Aquatic and Fitness Center HVAC (17845) \$2,526,000

Fund Sources: Bond Proceeds \$2,526,000".

Explanation:

Amendments to House Bill 29, as Introduced

(This amendment transfers 9(d) revenue bond authority from House Bill 30 for this project.)

Item C-91.30 #1h

Education: Higher Education

Virginia Polytechnic Institute And
State University

Language

Language:

Page 296, after line 6, insert:

"C-91.30.

Notwithstanding any other provision of law, the Director, Department of Planning and Budget, shall transfer up to \$28,758,000 of the amount appropriated in Chapter 1 and Chapter 2, 2008 Acts of Assembly, Special Session I, for project 17660, (Construct Sciences Research Laboratory I) to project 16758 (Center for Creative Technologies Laboratory)."

Explanation:

(This amendment would transfer funding from a project included in Chapters 1 and 2, 2008 Acts of Assembly, Special Session I, to another project on the Virginia Tech priority list within the same funding range. The Sciences Research Laboratory I project in Chapters 1 and 2 included a significant private gift component. However, due to the current economic situation, a significant donor is unable to complete their private gift commitment at this time. This amendment would shift the intended funding amount for the Sciences Research Laboratory I project to a high-priority project for Virginia Tech contained in the six-year capital plan in Chapters 46 and 696, 2009 Acts of Assembly, Regular Session. The Center for Creative Technologies Laboratory project will be ready for construction prior to the end of the fiscal year. The Center for Creative Technologies Laboratory project has a comparable general fund support level and a similar private fund component as the Sciences Research Laboratory I project. In addition, the nongeneral fund component for the Center for Creative Technologies Laboratory project is available.)

ItemC-113.05 #1h

Natural Resources

Department Of Game And Inland
Fisheries

Language

Language:

Amendments to House Bill 29, as Introduced

Page 298, strike lines 8 through 15 and insert:

"E. Notwithstanding paragraph B, in the event that the Board of Game and Inland Fisheries receives a proposal or proposals pursuant to the Public-Private Education Facilities and Infrastructure Act of 2002 that would reduce the cost of the project, the Board, with the approval of the Department of General Services, may convey title to the above-described property to a third party as part of an arrangement to obtain a new headquarters facility at a different location."

Explanation:

(This amendment requires oversight by the Department of General Services before changes to the project or property conveyance occurs.)

ItemC-145.05 #1h

Public Safety

Department Of Juvenile Justice

Language

Language:

Page 299, line 20, strike "Not set out." and insert:

"Out of the amounts approved for funding in Chapter 781, 2009 Acts of Assembly, for Correct Erosion, Pamunkey (17727), the Comptroller shall transfer \$126,912 to Agency 949, Central Capital Planning Fund (17777) fund 0965, to reimburse for planning costs incurred for the Pamunkey Erosion project as required by § 2.2-1520, Code of Virginia."

Explanation:

(This amendment is self-explanatory.)

Item 3-1.01 #1h

Transfers

Interfund Transfers

Language

Language:

Page 314, line 48, after "Council" insert:

"to repay the general fund advance."

Page 315, strike lines 20 through 29.

Page 315, line 30, strike "XX." and insert "VV."

Page 315, line 36, strike "YY." and insert "WW."

Page 315, line 40, strike "ZZ" and insert "XX".

Amendments to House Bill 29, as Introduced

Page 315, line 40, strike "\$14,454,479" and insert "\$11,854,479".

Page 318, strike line 29.

Page 319, line 7, strike "\$14,454,479" and insert "\$11,854,479".

Page 319, after line 13, insert:

"BBB. On or before June 30, 2010, the State Comptroller shall transfer \$2,000,000 to the general fund from unexpended balances at the Department of Aviation.

CCC. On or before June 30, 2010, the State Comptroller shall transfer \$5,200,000 to the general fund from one-time savings realized from a delay in the deadline for initial compliance with the federal Real ID Act of 2005.

DDD. On or before June 30, 2010, the State Comptroller shall transfer \$205,072 to the general fund from unexpended balances at the Department of Professional and Occupational Regulation.

EEE. On or before June 30, 2010, the State Comptroller shall transfer to the general fund an amount equal to \$6,200,000 from balances in the Water Quality Improvement Fund held by the Department of Conservation and Recreation.

FFF. On or before June 30, 2010, the State Comptroller shall transfer to the general fund an amount equal to \$3,600,000 from the Water Quality Improvement Fund Reserve Fund established pursuant to Item 360 of this act and held by the Department of Environmental Quality.

GGG. On or before June 30, 2010, the State Comptroller shall transfer to the general fund an amount equal to \$100,000 from the Central Registry Search Fees at the Department of Social Services.

HHH. On or before June 30, 2010, the State Comptroller shall transfer to the general fund an amount equal to \$500,000 from the Consolidated Laboratory Services at the Department of General Services."

Explanation:

(This amendment makes a number of technical corrections to Item 3-1.01 of House Bill 29 as introduced relating to nongeneral fund transfers to correct duplicate transfers from a nongeneral fund, include clarifying language, and capture additional nongeneral fund amounts for transfer as set out in the item.)

General Fund Deposits

Interest Earnings

Language

Language:

Page 320, strike line 43.

Page 321, strike lines 37 and 38.

Explanation:

(This amendment strikes references to capturing the nongeneral fund interest from funds associated with the Department of Game and Inland Fisheries and the Marine Resources Commission.)

Item 3-5.15 #1h

Adjustments and Modifications to Tax Collections

Discounts and Allowances

Language

Language:

Page 323, strike lines 30 through 35 and insert:

"A. Notwithstanding any other provision of law, effective beginning with the return for June 2010, due July 2010, the compensation allowed under § 58.1-622, Code of Virginia, shall not be available to any dealer required to remit the tax levied under §§ 58.1-603 and 58.1-604, Code of Virginia, by electronic funds transfer pursuant to § 58.1-202.1, Code of Virginia, and the compensation available to all other dealers shall be limited to the following percentages of the first three percent of the tax levied under §§ 58.1-603 and 58.1-604, Code of Virginia:

Monthly Taxable Sales	Percentage
\$0 to \$62,500	2%
\$62,501 to \$208,000	1.5%
\$208,001 and above	1%

B. Notwithstanding any other provision of law, effective beginning with the return for June 2010 due July 2010, the compensation available under §§ 58.1-642, 58.1-656, 58.1-1021.03, 58.1-1720, and 58.1-1730, Code of Virginia, shall be repealed.

C. Notwithstanding any other provision of law, effective on and after July 1, 2010, there shall be no discount available for any discount or allowance allowed under §§58.1-2233, 58.1-2236, and 58.1-2256, Code of Virginia."

Amendments to House Bill 29, as Introduced

Explanation:

(This amendment modifies provisions of House Bill 29 as introduced which assumed \$60.9 million in revenues annually beginning in fiscal year 2011 by eliminating all compensation paid to retailers that collect states sales tax. The amended language would eliminate the dealer discount only for retailers who already are required to remit payment electronically and allow smaller retailers to retain an amount equal to 50% of the current discount. The removal of the discount on only those who file electronically would eliminate payments to less than 2% of the retailers in the Commonwealth, with the remaining retailers retaining some compensation. For the remainder, the retained percentage would be reduced by 50% - to 2%, 1.5% and 1.0% depending on monthly sales. This would generate \$46.1 million in fiscal year 2011 – a loss of \$14.8 million compared to House Bill 30 as introduced but would allow more than 98% of retailers to retain some compensation.)

Item 3-5.16 #1h

Adjustments and Modifications to Tax Collections

Conformity to Internal Revenue Code

Language

Language:

Page 323, line 40, strike "2009" and insert "2008".

Page 323, at end of line 43, insert:

"Notwithstanding any other provision of law, for taxable years beginning on and after January 1, 2009, and before January 1, 2010, any reference to the Internal Revenue Code shall include provisions enacted after December 31, 2009, and on or before January 22, 2010."

Explanation:

(This amendment amends language relating to Virginia's fixed date conformity with the Internal Revenue Service Code to allow Virginians to receive the newly announced tax incentive for contributions to Haiti made by February 28, 2009.)

Item 3-6.01 #1h

Adjustments and Modifications to Fees

Recordation Tax Fee

Language

Language:

Amendments to House Bill 29, as Introduced

Page 324, line 3, unstrike "ten" and strike "twenty".

Page 324, line 5, strike "fifty percent of".

Page 324, line 5, strike "The revenue generated".

Page 324, strike lines 6 through 9.

Explanation:

(This amendment removes a proposal to increase the deed recordation fee by \$10.00 that had been included in House Bill 29 as introduced.)
